

DIMENSIONS

VOLUME 23 DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION SPRING 2003

Introducing . . . On-Line Renewals



In the near future, licensees and certificate-holders of the Board will be able to pay renewal fees for license and certificates on-line. This service will be available 24 hours a day, 7 days a week to all boards within the Department of Professional and Occupational Regulation. The on-line renewal service will be available to all regulants whose license or certificate expires August 31, 2003, or later.

On the renewal notices, which will continue to be mailed approximately 45 days prior to the expiration of the license or certificate, the regulant will be provided with a temporary PIN number to access the on-line renewal service. The regulant will then have the option of renewing on-line or by mail. On-line renewal payments must be made by credit card. Regulants of the Board will continue to be required to certify compliance with the Standards of Practice and Conduct as established by the Board (see 18 VAC 10-20-670 of the Board's regulations). The regulant renewing the license or certificate will also have the option of updating their address if necessary. Late payments and reinstatement fees CANNOT be made on-line.

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Please note that the renewal payment for business registrations cannot be made on-line.

Additionally, while on-line renewals could allow a person to successfully renew on the day of expiration of their license, please be aware that if a technical problem were to occur, i.e., the server is down or the credit card verifier is temporarily disabled, the license or certificate would be considered expired until such

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New DPOR Director, Chief Deputy Director

In the Spring of 2002, the Board staff welcomed a new Director and Chief Deputy Director to the Department. Governor Mark Warner appointed Louise Fontaine Ware and Sandra Whitley Ryals to serve as Director and Chief Deputy Director, respectively, of the Department.

Ms. Ware brings a great deal of experience in the government arena to the Director's position. Prior to joining DPOR, Ms. Ware served as Executive Assistant to the Acting Secretary of the U.S. Department of Veterans Affairs. Additionally, Ms. Ware was Vice-Chair of the Virginia Alcoholic Beverage Control Board. Ms. Ware has also owned and operated a full-service consulting firm specializing in association management and government relations. A native of Lynchburg, Ms. Ware earned undergraduate and master's degrees from Lynchburg College and also holds a master's degree in public administration from Virginia Commonwealth University.

Ms. Ryals worked as a health care consultant and served as a faculty member at Radford University and the College of Health Sciences prior to joining the Department. Ms. Ryals has also served as Public Health Nursing Director for the Roanoke City Health District and Coordinator of Children's Specialty Services for the Virginia Department of Health. A longtime Roanoke resident, Ms. Ryals earned a bachelor's degree in nursing from the University of Virginia, holds a master's degree in education from Virginia Tech, and completed a fellowship with the Sorensen Institute for Political Leadership at the University of Virginia.

One of the first actions by Ms. Ware and Ms. Ryals was the creation of a position to oversee the Department's Regulatory Programs Division, which includes the APELSCIDLA Board. Karen W. O'Neal was selected as

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New DPOR Director, Chief Deputy Director

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the new Deputy Director for Regulatory Programs. Ms. O'Neal has been with the Department in various capacities since 1990. Most recently, she served as the administrator for the Real Estate, Real Estate Appraiser, Cemetery, Professional Soil Scientists, and Geology boards. From 1978 until 1990, Ms. O'Neal was employed by the Office of the Attorney General. Ms. O'Neal earned a bachelor of applied studies degree from the University of Richmond.

The staff at the Department welcomes Ms. Ware, Ms. Ryals, and Ms. O'Neal in these leadership roles. ▲



DPOR is a Leader in Mediation Initiatives



DPOR is leading the way in alternative dispute resolution (ADR) proceedings. The agency established an ADR program in December 2001 to expedite the resolution of complaints and to reduce costs associated with the processing of those complaints. Parties that resolve disputes through mediation avoid months of a formal DPOR investigation and possible civil litigation.

Mediation is voluntary, confidential, and non-adversarial, with the objective of reaching a mutually acceptable agreement for the disputing parties. In 2002 the General Assembly passed a new law requiring all state agencies to adopt ADR policies.

DPOR offers consumers and regulants the opportunity to participate in the mediation process at no cost, using the agency's dispute resolution coordinator or other trained volunteer mediators certified by the Virginia Supreme Court.

Since the inception of the ADR program, DPOR offered mediation to approximately 300 complainants and successfully resolved 101 cases. The majority of these cases involved licensees of the Board for Contractors; however, the mediation process is for all boards within the Department. ▲

Miss Utility Memo: Does Driving Metal Rods or Rebars Constitute Excavation?



A recent case brought before the Virginia State Corporation Commission's Miss Utility Advisory Committee produced some important lessons for engineering and land surveying firms. A Williamsburg firm was advised incorrectly by Miss Utility that a marking ticket was not required for placing metal rods for property corners. The firm drove an 18" rebar and cut a 1/2" gas line to the house on the property. The firm could have been fined as much as \$1000. Ultimately, the case was thrown out because the engineer had good written documentation of the communications with Miss Utility.

Lessons learned:

1. Under the Underground Utility Damage Prevention Act of the *Code of Virginia*, driving metal rods or rebar into the ground constitutes excavation activity. Failure to notify the call center (800-257-7777) to get a Miss Utility ticket could constitute a violation of two sections of the law, resulting in fines.
2. The marking companies have 48 hours to mark the facilities; however, it is recommended that a follow-up call to the Miss Utility center be made to verify that the area has been marked. Locating companies do not always mark the facilities within the legal time frame.
3. Even if you follow the procedures to call Miss Utility, you should maintain excellent written documentation.

(Thanks to members of the Heavy Construction Contractors Association for their work and information on this issue.)

This article is from the May 2002 *Insite*, the Engineers & Surveyors Institute Newsletter. Special thanks to ESI for allowing us to use this article. ▲



Board Member Receives National Award

Board Member Stanley C. Harris, P.E., received a 2002 Distinguished Service Award from the National Council of Examiners for Engineering and Surveying (NCEES) at its 2002 Annual Meeting in La Jolla, CA. The Virginia Board nominated Mr. Harris for the prestigious honor, awarded to only six recipients by NCEES President Ted Fairfield.



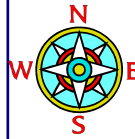
Mr. Harris served as both president and vice-president during his tenure on the Board from 1990-2001, and was again appointed to the Board by Governor Warner in 2002 (see article page 4). By virtue of his involvement on the Board, he also held various leadership positions at NCEES – an umbrella organization comprised of engineering and surveying licensing boards from every state – including a subcommittee chairmanship and membership on the Engineering Licensure Qualifications Task Force.

A mechanical engineer with Alcoa Inc. (formerly Reynolds Metals Company), Mr. Harris has served as officer and director for over 20 years in the Richmond Area Program for Minorities in Engineering, an effort to promote diversity in engineering. In 1995, the American Society of Mechanical Engineers elected Mr. Harris into its membership as a Fellow, and he received the 2000 Annual Community Service Award from the Richmond Joint Engineers Council.

Congratulations go to Mr. Harris from the Board and staff for this much deserved honor. ▲



Photogrammetry Study



At the Board meeting on December 11, 2002, the Board voted to request that the Board for Professional and Occupational Regulation commence a study on the regulation of photogrammetrists. Subsequent to that meeting, the Board for Professional and Occupational met on March 3, 2003, and voted to conduct such a study.

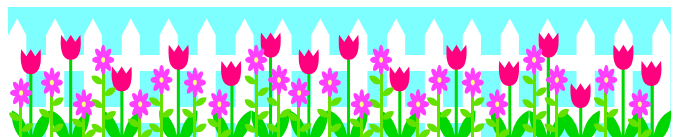
The Board for Professional and Occupational Regulation will conduct public hearings regarding this issue around the state. If you are interested in being placed on the mailing list for notifications regarding the times and locations for the public hearings, please e-mail your request with your name, mailing address, e-mail address, and an indication of whether you wish to receive the notification via snail mail or e-mail to the following e-mail address: BPOR@dpwr.state.va.us.

The Board for Professional and Occupational Regulation is a nine-member board that, in addition to other duties, is responsible for making recommendations to the General Assembly regarding regulations for professions or occupations and, in that capacity, performs studies in order to determine the appropriate recommendation. ▲

Regulatory Review Process to Begin



After meeting five times over seven months in 2002, the Regulatory Review Committee of the Board completed its review of the regulations. The Committee performed a detailed, line-by-line review of the regulations and presented its work to the Board at the December 11, 2002, Board meeting. Subsequently, the Board agreed by consensus to direct each Section to review the work of the Committee again in order to ensure that the draft regulations have been reviewed in their entirety. The Board plans to initiate the regulatory review process at its June 5, 2003, meeting. Historically, it has taken approximately 18-24 months to complete the regulatory review process. ▲



Board Member Changes



Since the last issue of the DIMENSIONS newsletter, there have been several changes on the Board. Following please find brief biographies of our newest Board members.

John S. Clark, Jr., Architect Member

John S. Clark, Jr., was appointed to the Architects Section of the APELSCIDLA Board in January 2002 to succeed Kathryn T. Prigmore. Mr. Clark is a Senior Associate at Rancorn Wildman Architects, PLC.

Mr. Clark has more than 22 years of professional architecture experience. For the last 18 years, he has practiced at Rancorn Wildman Architects in Newport News, where he serves as Project Manager for the firm's new middle and high school projects. Three of the projects that Mr. Clark has worked on received prestigious awards, including the Shirley Cooper Award as the top secondary school design in the country at the National Conference on Education in 1997 for the Heritage and Woodside High Schools, and the Virginia Department of Education Award as the top secondary school in Virginia in 1998 and 2002 for Monticello High School in Albermarle County and Oak Knoll Middle School in Hanover County, respectively.

Mr. Clark received his Bachelor of Science in Architecture in 1978 from the University of Virginia. Mr. Clark currently resides in the Tidewater area with his wife and three teenage sons.

Susan S. Orange, Certified Interior Designer Member

Susan S. Orange was appointed to the Certified Interior Designers Section of the APELSCIDLA Board in January 2002 to succeed Patricia Stockdon. Ms. Orange is an Associate with Baskervill & Son in Richmond, Virginia.

As an Associate with Baskervill & Son, Ms. Orange serves as project manager and heads-up the corporate interior design team. Throughout her career, Ms. Orange has been involved with many projects in the Richmond area.

Ms. Orange came to Virginia from Media, Pennsylvania, to attend Virginia Commonwealth University, where she obtained her Bachelor of Fine Arts. Ms. Orange currently resides in the Richmond area with her husband and two daughters.

John R. McAden, Land Surveyor Member

John R. McAden, was appointed to the Land Surveyors

Section of the APELSCIDLA Board in September 2002 to succeed Wilmer F. Sirine, II. Mr. McAden serves as Vice-President of Balzer and Associates, Inc., in Roanoke, Virginia.

Mr. McAden has been with Balzer and Associates, Inc., since 1985, where he started as a rodman and advanced to Survey Department Head. Mr. McAden is a member of the Virginia Association of Surveyors, where he has served as Secretary/Treasurer, Vice-President, and President of the Western Chapter. He is also a member of the American Congress of Surveying and Mapping and the National Society of Professional Surveyors.

Mr. McAden received his Bachelor of Arts degree from Randolph Macon College, and took land surveying courses at John Tyler Community College. Mr. McAden resides in the Roanoke area with his wife and three children.

Stanley C. Harris, Professional Engineer Member

Stanley C. Harris was appointed to the Professional Engineers Section of the APELSCIDLA Board in September 2002 to succeed James K. Lowe, Jr. Mr. Harris is the Manager for the Manufacturing Support Systems for Flexible Packaging Research and Development at Alcoa. If his name sounds familiar, it is because Mr. Harris previously served on the Board for 11 years.

Mr. Harris' career has included project engineering, research and development, engineering management and manufacturing facilities engineering, and maintenance management. Mr. Harris is the President of the Richmond Area Program for Minorities in Engineering, as well as a Fellow of the American Society of Mechanical Engineers. Mr. Harris has also been an active member of the National Council of Examiners for Engineering and Surveying (NCEES), where he chaired a committee on the Engineer Licensure Qualifications Task Force. Mr. Harris was awarded the Distinguished Service Award in August 2002 by the NCEES for his work.

Mr. Harris received his Bachelor of Science and Master's degrees in Mechanical Engineering from Virginia Tech. He has participated in graduate and postgraduate studies at the University of Michigan and the University of Southern California.

Carole R. Renmark, Certified Interior Designer Member

Carole Ridings Renmark was appointed to the Certified Interior Designers Section of the APELSCIDLA Board in November 2002 to succeed M. Lou Barnett. Ms. Ren-

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Board Changes *(Continued from page 4)*

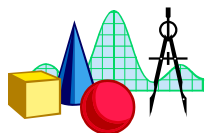
mark is cofounder of Renmark & Associates in Richmond, Virginia.

Ms. Renmark graduated from the University of Miami in 1961. In 1966, she co-founded Renmark & Associates in Fort Lauderdale, Florida, with her husband. In 1989, they relocated Renmark & Associates to Richmond. That same year, their daughter joined the business to become a third generation interior designer from Ms. Renmark's family.

Ms. Renmark currently resides in the Richmond area with her husband.

The Board and staff would like to thank Mr. Sirine, Ms. Barnett, Ms. Stockdon, Ms. Prigmore, and Mr. Lowe for their hard work during their terms on the Board. ▲

Changes to Structural II PE Examination



The format for the Structural II PE Examination will change starting with the April 2004 examination administration. The new exam will contain four problems which will be scored as a composite.

There will be four problems covering bridges and four problems covering buildings. An examinee who answers bridge problems in the morning will be required to answer bridge problems in the afternoon. An examinee who answers building problems in the morning will be required to answer building problems in the afternoon. Examinees will be required to pass the total exam in a single administration. The scores will be reported to each Member Board as either "pass" or "fail" for the total exam.

The current exam consists of one problem given in the morning and one problem given in the afternoon. The afternoon problem always has seismic content. The materials and type of structure vary in both the morning and afternoon. The scores are reported to each Member Board as either pass or fail for each part. Currently the Virginia Board allows examinees to pass the morning and afternoon portions separately. Due to the changes in the examination, the October 2003 administration will be the last opportunity for a candidate to take and pass part of the examination if the other part has been passed previously. Beginning with the April 2004 examination, the candidate must take the entire examination. ▲

CID Issues: Business Registrations & Seals



Two issues have recently been considered by the Board that are important for interior designers certified by the Board. The first topic involves registration of businesses. As discussed in previous issues of DIMENSIONS, House Bill 1428 (2000) requires firms of certified interior designers to register with the Board. The Board amended its regulations, effective March 1, 2002, to include the requirements for such registration. Certified interior designers may register their firms as business entities, professional corporations, or professional limited liability companies. If a certified interior designer chooses to register a firm as a professional corporation or a professional limited liability company, and the firm also offers architecture, engineering, or land surveying services, then at least 2/3 of the capital stock or membership interests must be held by a licensed architect, professional engineer, or land surveyor. If you work for a firm that is already registered with the Board, the firm may need to add the specialty of "Certified Interior Design" to its registration as a change of status. Please review the Board's regulations for the complete requirements for firm registration.

The second issue is the application of seals to work performed by certified interior designers. Regulation 18 VAC 10-20-760.B.4 states, "The seal of each regulant responsible for each profession shall be used and shall be on each document that was prepared under the regulant's direction and for which that professional is responsible." Therefore, certified interior designers are required to seal their work in accordance with the Board's regulations. However, no example of a seal for certified interior designers is provided in the Board's regulations. Until such time as the Board amends its regulations to address this issue, any certified interior designer seal that reasonably comports with the description provided for the other five professions in regulation 18 VAC 10-20-760.B.6 will suffice; however, you will be responsible for complying with any future changes in the Board's regulations. An example for your consideration is shown to the right. ▲

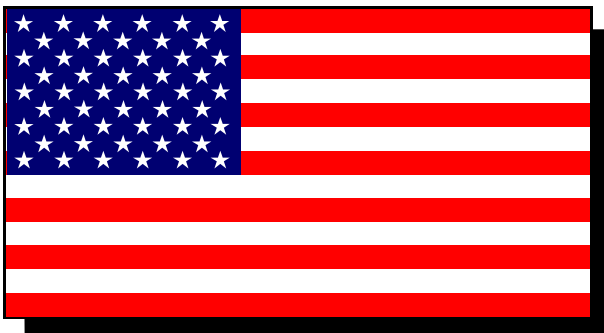


Should I Have A Council Record?



Applicants for architecture, professional engineering, or landscape architecture licensure/certification often inquire about a question on the application regarding an NCEES/NCARB/CLARB record. The National Council of Examiners for Engineering and Surveying (NCEES) handles the records programs for professional engineers and, more recently, land surveyors; the National Council of Architectural Registration Boards (NCARB) handles the records programs for architects; and the Council for Landscape Architecture Registration Boards (CLARB) handles the records program for landscape architects. While the Board does not require individuals applying through comity to hold a record from these organizations, it may be beneficial for those who anticipate pursuing registration in multiple states.

The Council records contain much of the information that is requested on the application for licensure. This may include documentation of education, experience, examinations, and references. Anyone who has been through the application process understands the difficulty that is sometimes associated with tracking down former employers, having reference forms filled out, and obtaining verification of education. With the Council record, it is not necessary to re-document that information in the application. Instead, applicants would simply have the appropriate national organization submit its record to the Board office (the national organization charges the applicant a fee for the transmittal) and then complete the Board's application and submit the appropriate application fee. In some cases, references may be required to complete an application. In addition, having a record may expedite the processing of your application. While holding a record from these organizations does not guarantee the approval of an application, it can certainly make the application process easier for applicants and the Board. ▲



Former Board Member Honored



Wilmer F. "Bill" Sirine, II, was honored by the Virginia Association of Surveyors at its 2002 Annual Convention. The Certification of Recognition is the highest award of the organization and was presented in appreciation of his exceptional devotion to the surveying profession.

After serving the association at every level, Mr. Sirine served another 10 years on the Board, and actively participated in the National Council of Examiners for Engineers and Surveyors. The award was presented by Doyle Allen, current Board member and Past President of the Virginia Association of Surveyors. ▲

Thank You from the Board Office!

In the early morning hours of Wednesday, March 26, 2003, the Department experienced a fire at its office. The Richmond Fire Department responded quickly and damage was localized. Fortunately, no one was in the building, so there were no injuries. Damage caused by the fire affected some of the Department's office space as well as a portion of the agency's telephone system. While we dealt with the aftermath and repair efforts, you may have experienced difficulties reaching the Board office. Everyone at the Board office would like to thank you for your patience and consideration as we attempted to provide the utmost customer service, while still dealing with the affects of the fire. ▲

On-Line Renewals *(Continued from page 1)*

time as payment is received in the Board office, and could be subject to additional renewal or reinstatement requirements. For these reasons, it is highly recommended to pay the renewal fee on-line at least a few days prior to the expiration date. ▲



Spotlight on the APELSCIDLA Board Staff



Since the last issue of the DIMENSIONS newsletter, there have been several changes in the Board staff; therefore, we wanted to take a moment to introduce you to those who work in the Board office with whom you may speak from time to time.

Oldther B. Pretlow has been a Licensing Specialist with the Board office since 2000. She is responsible for processing all architect and certified interior designer applications, as well as all verification requests.

Toni H. Spencer has been a Licensing Specialist with the Board office since Summer 2002. Ms. Spencer took the place of Jean Turner when she retired last year. Ms. Spencer is responsible for all of the professional engineer and engineer-in-training applications.

Joan B. Leonard has been a Licensing Specialist with the Board office since Fall 2001. While you would never believe it by her workload, Ms. Leonard works part-time for the Board office. She processes land surveyor and land surveyor-in-training applications, as well as all renewals and address changes for the Board office.

Marian H. Brooks has been with the Department for over 30 years in various capacities. She has several roles in the Board office, including serving as supervisor to the Licensing Specialists and Program Administrator for the APELSCIDLA Board. In addition, she serves as the Board Administrator for one of the other boards handled in the Department, the Auctioneers Board.

Mark N. Courtney has been with the Board office since 1994 and, as the Executive Director of the Board, is responsible for overseeing all of the boards handled within the office. Mr. Courtney tracks legislation relevant to the Board, works with various other agencies and staff members to maintain up-to-date information, and serves as the general encyclopedia and historian for nearly all Board issues.

Trisha L. Henshaw has been with the Board office in various capacities since 1996. Ms. Henshaw is currently the Administrative Assistant for the Board office. She is responsible for preparing all agendas, minutes, and any other information related to the Board meetings, as well as drafting the DIMENSIONS newsletter. Additionally, Ms. Henshaw is responsible for communicating information regarding the Board to other agencies, state boards, regulants, and the general public. ▲

What in the World is an “APELSCIDLA”?



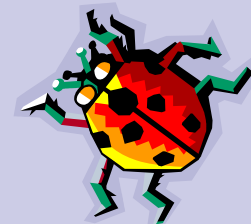
While you may think that the most commonly asked questions in the Board office involve how to get licensed, that is not quite true. The questions we get most often in the Board office are “what in the world is an APELSCIDLA, anyway? And how do you pronounce it?” Get ready, the secret is going to be revealed. While some have thought it was the scientific name of a strange bug, or a type of beverage, the truth is that it is the acronym for the Board name.



That’s right, it simply means Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. Now for the hard part: pronunciation. We have heard every variation imaginable: “ap-pul-side-luh” (like apple cider), “a-pla-skid-a-luh”, and other pronunciations that may be illegal in some states.



The real pronunciation, or the way that you will hear it when you call the Board office, is “ah-pel-sid-luh.” So the next time we tell you to go to the APELSCIDLA section on our webpage, don’t worry, there shouldn’t be any strange bugs out there. ▲



Examination Statistics

The following statistics are a compilation of the Virginia candidates who sat for the October 2002 Engineering and Land Surveying examinations.

October 2002 Engineer Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	481	268	56
Principles and Practice	488	225	50

October 2002 Land Surveyor Exam Results

	# Candidates	# Passing	% Passing
Fundamentals	47	31	66
Principles and Practice	15	7	47
Virginia Portion			
Core Exam	13	12	92
Option A	17	4	24
Option B	2	0	0

Did You Know . . .

National examination statistics for the examinations can be found on the national organization's website pertaining to that profession. The following list provides the profession, national organization, and website where you may be able to locate national exam statistics:

Professional Engineering	NCEES	www.ncees.org
Land Surveying	NCEES	www.ncees.org
Architecture	NCARB	www.ncarb.org
Landscape Architecture	CLARB	www.clarb.org
Interior Design	NCIDQ	www.ncidq.org

Following are the statistics for the Virginia candidates who took the December 2002 Landscape Architect Registration Examination (LARE):

December 2002 LARE Results

	# Candidates	# Passing	% Passing
Planning & Design (Section C)	23	5	22
Grading, Drainage & Storm Water Management (Section E)	23	6	26

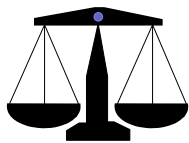
The following statistics are a compilation of the Virginia candidates who sat for the Architect Registration Examination (ARE) from January 1, 2002, to December 31, 2002.

January—December 2002 ARE Results

	# Candidates	# Passing	% Passing
Building Planning	85	49	58
Building Technology	79	54	68
Construction Documents	65	62	95
General Structure	68	56	82
Lateral Forces	55	52	95
Materials & Methods	62	58	94
Mechanical & Electrical Systems	63	50	79
Pre-Design	78	66	85
Site Planning	73	50	68



Disciplinary Actions



The following is a summary of actions taken against regulants by the APEL-SCIDLA Board. Although every effort is made to ensure that the information is correct, before making any specific decision based upon this information, you should check with the Board office to ensure accuracy.

FILE NUMBER 2000-02694, John J. Hiner, LS

VIOLATION—Hiner prepared a survey map wherein he failed to include a source of meridian on the survey map and failed to include a statement on the survey map that the map is based on a current field survey. **BOARD ACTION**—Final Opinion and Order imposing a \$250 monetary penalty for each of the two counts, for total monetary penalties of \$500. **REGULATIONS VIOLATED**—(1997) 18 VAC 10-20-370.C.2.i and (1997) 18 VAC 10-20-370.C.2.m **EFFECTIVE DATE**—November 15, 2001

FILE NUMBER 2001-01049, Howard B. Sprinkle, PE

VIOLATION—Sprinkle signed and sealed an engineering document certifying conditions that did not exist. Sprinkle's actions in this matter were negligent in that he did not exercise direction and control over the work to which his seal was affixed. Additionally, Sprinkle certified that he is the professional responsible for the engineering practice of a company while not being a full-time employee of that company. **BOARD ACTION**—Final Opinion and Order imposing a \$500 monetary penalty. **REGULATION VIOLATED**—(1999) 18 VAC 10-20-790.A.3 **EFFECTIVE DATE**—November 15, 2001

FILE NUMBER 2000-03158, Robert L. Plowfield, PE

VIOLATION—Plowfield was sanctioned by the Florida Board of Professional Engineers for violations of the Florida Board's regulations. Sanctions included a 90-day suspension of his Florida professional engineering license, monetary fines, and a three-year minimum probation. **BOARD ACTION**—Final Opinion and Order imposing an inoperative suspension of Plowfield's Virginia professional engineers license for a period simultaneous with that of his current Florida probation which ends on March 22, 2003. **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-750 **EFFECTIVE DATE**—November 15, 2001

FILE NUMBER 1999-02940, B. G. Smith, PE

VIOLATION—Smith signed and sealed electrical design drawings. Smith admitted that he is not qualified by education or experience to be responsible for this type of electrical design. **BOARD ACTION**—Final Opinion and Order imposing a monetary penalty of \$1000. **REGULATIONS VIOLATED**—(1997) 18 VAC 10-20-730.A **EFFECTIVE DATE**—November 15, 2001

FILE NUMBER 2000-03515, Robert E. Brady

VIOLATION—Brady's professional engineers license issued by the North Carolina Board of Examiners for Engineers and Surveyors was revoked. Brady authorized an employee to affix his seal and signature to drawings for a project. Brady's responses to many basic structural engineering questions were either that he did not know, or were completely inadequate. **BOARD ACTION**—Final Opinion and Order imposing revocation of Brady's Virginia professional engineers license. **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-750 **EFFECTIVE DATE**—November 15, 2001

FILE NUMBER 2000-03291, James I. Ezell, Arch

VIOLATION—On his application for reinstatement, Ezell did not disclose a disciplinary settlement agreement with the Texas Board of Architectural Examiners. **BOARD ACTION**—Consent Order wherein Ezell neither admits nor denies the alleged violation but agrees to consent to a monetary penalty of \$500. Upon payment of the fine, Ezell's license registration was reinstated. **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-700 **EFFECTIVE DATE**—December 13, 2001

FILE NUMBER 2002-01145, W. S. Callahan, LS

VIOLATION—Callahan performed a survey and did not conduct the proper research to identify the proper description of the property being surveyed which resulted in his failure to include the right-of-way on the survey. Callahan told the investigator that the plat was a File Copy/Preliminary plat and he stated that he should not have signed this earlier version. The survey included Callahan's signature, seal, and date and was not identified as "preliminary" or "advanced copy." **BOARD ACTION**—Consent Order imposing a total monetary penalty of \$500. **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-370.A and (1999) 18 VAC 10-20-760.B.2. **EFFECTIVE DATE**—March 14, 2002

Disciplinary Actions *(continued from page 9)***FILE NUMBER 2001-03088, James N. Maleady**

VIOLATION—Maleady was convicted of four crimes of moral turpitude. As a result of these convictions, Maleady's architect license was revoked by the Maryland Board of Architects. Subsequently, Maleady's architect certificate was revoked by NCARB. **BOARD ACTION**—Consent Order wherein Maleady agrees to revocation of his Virginia architects license. **REGULATION VIOLATED**—(1999) 18 VAC 10-20-40 **EFFECTIVE DATE**—March 14, 2002

FILE NUMBER 2001-01318, Leonard W. Wagoner, PE

VIOLATION—Wagoner failed to report accurately the method of obtaining boring samples by failing to note the alternative methods of obtaining test boring samples. **BOARD ACTION**—Consent Order wherein Wagoner agrees to complete a course in engineering ethics and submit successful completion of such within 180 days of the effective date of the Order. **REGULATION VIOLATED**—(1999) 18 VAC 10-20-700.A **EFFECTIVE DATE**—December 15, 2001

FILE NUMBER 2001-01783, Dean E. Raynes, LS

VIOLATION—In the performance of a survey, Raynes failed to note inconsistencies found during the research of common boundaries between the land being surveyed and the adjoining land. **BOARD ACTION**—Consent Order wherein Raynes agrees to the imposition of a \$250 monetary penalty and \$300 in Board costs, for a total of \$550. **REGULATION VIOLATED**—(1999) 18 VAC 10-20-370.A **EFFECTIVE DATE**—June 6, 2002

FILE NUMBER 2001-02949, Dennis Jackson Hall, LS

VIOLATION—In the performance of a survey, Hall failed to conduct research that would support the conveyance of a portion of property (Count I). Hall also failed to include a title on the boundary plat identifying the land surveyed (Count II). Additionally, Hall failed to include a statement that the boundary survey shown is based on a current field survey (Count III). **BOARD ACTION**—Consent Order wherein Hall agrees to the imposition of a \$250 monetary penalty for Count I, \$250 monetary penalty for Count II, \$250 monetary penalty for Count III, and Board costs in the amount of \$300, for a total of \$1,050. **REGULATIONS VIOLATED**—(1997) 18 VAC 10-20-370.A, (1997) 18 VAC 10-20-370.C.2.a, and (1997) 18 VAC 10-20-370.C.2.m **EFFECTIVE DATE**—June 6, 2002

FILE NUMBER 2000-01687, B & B Consultants, Inc.

VIOLATION—B & B Consultants, Inc. failed to ensure that its agent, a licensed land surveyor, performed the necessary courthouse research in order to comply with the minimum standards for research procedures required by 18 VAC 10-20-370.A of the Board's regulations, resulting in professional incompetence or negligence. **BOARD ACTION**—Consent Order wherein B & B Consultants agrees to the imposition of a \$250 monetary penalty and \$150 in Board costs, for a total of \$400. **REGULATIONS VIOLATED**—(1997) 18 VAC 10-20-790.A.3 **EFFECTIVE DATE**—June 6, 2002

FILE NUMBER 2000-01685, Susan Kay Robinson, LS

VIOLATION—Robinson failed to perform the necessary courthouse research in order to comply with the minimum standards for research procedures. **BOARD ACTION**—Consent Order wherein Robinson agrees to the imposition of a \$250 monetary penalty and Board costs in the amount of \$150, for a total of \$400. **REGULATION VIOLATED**—(1997) 18 VAC 100-20-370.A **EFFECTIVE DATE**—June 6, 2002

FILE NUMBER 2001-01209, R. A. Henegar, LS

VIOLATION—In the performance of a survey, Henegar failed to indicate the source of meridian on his survey map (Count III). Additionally, Henegar failed to state on his survey map that the boundary is based on a current field survey (Count IV). **BOARD ACTION**—Consent Order wherein Henegar agrees to the imposition of a monetary penalty of \$250 for Count III, \$250 for Count IV, and Board costs in the amount of \$300, for a total of \$800. (Counts I and II were closed with a finding of no violation). **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-370.C.2.i and (1999) 18 VAC 10-20-370.C.2.m **EFFECTIVE DATE**—June 6, 2002

FILE NUMBER 2002-00127, TBE Group, Inc.

VIOLATION—For approximately 11 months, TBE Group, Inc., which held a Business Entity Branch Office registration, did not have an authorized full-time Virginia licensed professional engineer in responsible charge of the engineering practice being offered (Count I). TBE Group, Inc., failed to properly notify the Board of a change of address (Count II). TBE Group, Inc., failed to properly notify the Board of changes in the person(s) in responsible charge of the branch office's engineering practice (Count III). **BOARD ACTION**—Final Opinion and Order imposing a monetary penalty of \$2,500 for Count I,

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Disciplinary Actions *(continued from page 10)*

\$500 for Count II, and \$2,500 for Count III, for a total of \$5,500. **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-780.A, (1999) 18 VAC 10-20-795, and (1999) 18 VAC 10-20-660 **EFFECTIVE DATE**—June 7, 2002

FILE NUMBER 2000-00411, C. L. Willis, PE

VIOLATION—Willis, a licensed professional engineer, prepared a survey in order to subdivide property and to transfer ownership of portions of this subdivided property. Although there were engineering aspects considered when this survey was performed, the survey was not incidental to an engineering project. **BOARD ACTION**—Final Opinion and Order imposing a monetary penalty of \$1,000. **REGULATION VIOLATED**—(1994) § 12.5.A **EFFECTIVE DATE**—June 7, 2002

FILE NUMBER 2002-01472, Richard E. Molenaar

VIOLATION—For violations of the regulations of the Tennessee State Board of Architectural and Engineering Examiners, Molenaar's license to practice architecture in Tennessee was suspended for 6 months, in addition to other sanctions. **BOARD ACTION**—Consent Order wherein Molenaar agreed to voluntarily surrender his Virginia architects license. **REGULATION VIOLATED**—(1999) 18 VAC 10-20-750 **EFFECTIVE DATE**—June 6, 2002

FILE NUMBER 2000-03421, B. Throssell, LS

VIOLATIONS—In the performance of a survey, Throssell failed to provide the deed book reference of title (Count I). Throssell failed to provide the names of adjoining owners of record (Count II). Throssell failed to provide the width of the state road right-of-way (Count III). Throssell failed to provide the bearings of all property lines and meanders to the nearest 10 seconds of arc or metric equivalent (Count IV). Throssell failed to provide the source of meridian used in the performance of the survey (Count V). Throssell failed to provide the description of each monument found and set (Count VI). Throssell failed to provide the statement that the boundary survey shown is based on a current field survey (Count VII). **BOARD ACTION**—Consent Order wherein Throssell agreed to go into the field to locate and identify where the other pins are and tie in corners with his plat to conform with the minimum standards of the Board's regulations. Throssell agreed to record the amended plat and provide a copy to the Board. Further, Throssell agreed to adhere, at all times henceforth, to the minimum standards of the

Board's regulations. Throssell also agreed to pay Board costs in the amount of \$500. **REGULATIONS VIOLATED**—(1997) 18 VAC 10-20-370.C.2.b, (1997) 18 VAC 10-20-370.C.2.c, (1997) 18 VAC 10-20-370.C.2.d, (1997) 19 VAC 10-20-370.C.2.e, (1997) 18 VAC 10-20-370.C.2.i, (1997) 18 VAC 10-20-370.C.2.l, and (1997) 18 VAC 10-20-370.C.2.m **EFFECTIVE DATE**—September 12, 2002

FILE NUMBER 2000-03094, Richard A. Ruckman, PE

VIOLATION—In the performance of his duties as a professional engineer, Ruckman did not disclose in writing to the homeowner the potential conflict of interest created by his working relationship with the contractor. **BOARD ACTION**—Final Opinion and Order imposing no monetary penalty or sanction. **REGULATION VIOLATED**—(1997) 18 VAC 10-20-710.B **EFFECTIVE DATE**—September 11, 2002

FILE NUMBER 2002-00192, Gary Zickafoose, Arch

VIOLATION—Zickafoose utilized the design, drawings, or work of another professional without his knowledge and written consent. **BOARD ACTION**—Consent Order wherein Zickafoose acknowledges a violation of the Board's regulations and no sanction is imposed. **REGULATION VIOLATED**—(1999) 18 VAC 10-20-740.D **EFFECTIVE DATE**—December 11, 2002

FILE NUMBER 2001-03174, David G. Yolton, LS

VIOLATION—In the performance of a survey, Yolton failed to monument all corners and changes of direction on the plat with objects made of permanent material (Count I). Yolton also failed to list names of all adjoining owners of record and deed book references where the acquisition was recorded (Count II). **BOARD ACTION**—Consent Order wherein Yolton agrees to a monetary penalty of \$250 for Count I, and a \$250 monetary penalty for Count II. Mr. Yolton agrees to go out in the field and set the permanent monuments at all corners and changes of direction. Yolton agrees to adhere at all times henceforth to the minimum standards of the Board's regulations and agrees to pay Board costs in the amount of \$300. **REGULATIONS VIOLATED**—(1997) 18 VAC 10-20-370.B.4 and (1997) 18 VAC 10-20-370.C.2.c **EFFECTIVE DATE**—December 11, 2002

FILE NUMBER 2002-03286, Michael L. Musil

VIOLATION—Musil entered into a Consent Order with the North Carolina Board of Architecture for practicing

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Disciplinary Actions *(continued from page 11)*

architecture through a firm not properly registered with the North Carolina Board. Subsequently, Musil entered into a Consent Order with the South Carolina Board of Architectural Examiners for failing to answer questions correctly on his renewal application pertaining to disciplinary action taken by other jurisdictions. The Mississippi State Board of Architecture then entered a Final Order revoking Musil's architect license for failure to report disciplinary action on his renewal application. The Oklahoma Board of Governors of Licensed Architects and Landscape Architects then entered a Final Order revoking Musil's architect license in Oklahoma, based on reciprocal licensing from the State of Mississippi, as he was no longer eligible for reciprocal licensing based on the revocation of his certification by NCARB due to the disciplinary action in Mississippi. (Count I) Additionally, Musil failed or refused, upon request or demand, to respond to an investigator seeking information in a complaint file (Count II). **BOARD ACTION**—Final Opinion and Order imposing revocation of Musil's architect license in Virginia. **REGULATIONS VIOLATED**—(1997 & 1999) 18 VAC 10-20-750 and (2002) 18 VAC 10-20-740.C **EFFECTIVE DATE**—March 14, 2003

FILE NUMBER 2002-03629, Robert A. Steele, Arch


VIOLATION—Steele made a materially false statement or deliberately failed to disclose a material fact requested in connection with an application submitted to the Board by an individual for licensure. **BOARD ACTION**—Final Opinion and Order entered imposing a monetary penalty of \$250. **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-700.D **EFFECTIVE DATE**—March 14, 2003

FILE NUMBER 2001-00673, Donnie E. Walker, Jr., LS

VIOLATIONS—In the production of survey plats, Walker failed to do the following: perform the proper research (Count I); perform the required minimum field procedures (Count II); perform the required office procedures involving computations to arrive at closure (Count III); include the names of owners of record and the deed book reference where the acquisition was recorded (Count IV); include widths of right-of-way, and/or distance to the center of the physical pavement and pavement width, as well as streams, adjoining or running through the land (Count V); include the North arrow and source of meridian (Count VI); include the reference bearing and distance to a property corner of an adjoining owner or other prominent object (Count

VII); and include the tax map designation (Count VIII). **BOARD ACTION**—Final Opinion and Order imposing a monetary penalty of \$250 per count for Counts I-VIII, for total monetary penalties of \$2,000. **REGULATIONS VIOLATED**—(1999) 18 VAC 10-20-370.A, 18 VAC 10-20-370.B.3, 18 VAC 10-20-370.C.1, 18 VAC 10-20-370.C.2.b, 18 VAC 10-20-370.C.2.d, 18 VAC 10-20-370.C.2.i, 18 VAC 10-20-370.C.2.j, and 18 VAC 10-20-370.C.2.k **EFFECTIVE DATE**—March 14, 2003 ▲

Extension for Active Military Duty Personnel

 All individuals on active military duty during 2003 may be given an extension to comply with certification and licensure requirements, for one year after release from military duty.

This provision was passed during the 2003 Session of the General Assembly and expires on July 1, 2004; therefore, all requests for extension must be approved by July 1, 2004. To qualify for the extension, you must provide a copy of your DD-214 form or other appropriate documentation to verify active duty status. The provision states:

"That notwithstanding any other provision of law, the Department of Professional and Occupational Regulation, the Department of Health Professions, the Supreme Court of Virginia, and local governing bodies shall extend the time allowed to comply with certification or licensure requirements, including those pertaining to the application for or renewal of any license, certificate, registration or authority, until one year after the person's release from active military duty, if the person is on active military duty during 2003 and such extension would not constitute a danger to the public health, safety or welfare. The provisions of this section shall expire on July 1, 2004." ▲



EXAMINATION SCHEDULE

PROFESSIONAL ENGINEER & LAND SURVEYOR EXAM DATES

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
October 24, 2003	June 27, 2003	September 19, 2003
April 16, 2004	December 19, 2003	March 12, 2004

ENGINEER-IN-TRAINING & SURVEYOR-IN-TRAINING EXAM DATES

<u>Exam Date</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
October 25, 2003	June 27, 2003	September 19, 2003
April 17, 2004	December 19, 2003	March 12, 2004

LANDSCAPE ARCHITECT EXAM DATES

<u>Exam Dates</u>	<u>Application Due Date</u>	<u>Exam Fee Due Date</u>
December 8-9, 2003	August 11, 2003	September 24, 2003
June 14-16, 2004	February 16, 2004	March 31, 2004
December 6-7, 2004	August 9, 2004	September 22, 2004

Notes:

- **ARCHITECTS:** The Architectural Registration Examination is given year-round; therefore, there are no deadlines. The architect applications are reviewed on a continuous basis.
- **INTERIOR DESIGNERS:** The interior designers examination is administered by NCIDQ. You may reach them by dialing (202) 721-0220.

MOVING? PLEASE NOTIFY THE BOARD OFFICE OF YOUR NEW ADDRESS.

Name: _____

Profession: _____

License Number: _____

Old Address: _____

New Address: _____

(P.O. Box must be accompanied by your physical address)

Signature: _____

Date: _____

Mail to:

APELSCIDLA Board, Department of Professional & Occupational Regulation
3600 West Broad St.
Richmond, VA 23230-4917

CALENDAR OF EVENTS

July	30	Architects Section Meeting	Oct	30	Architects Section Meeting
Aug	5	Professional Engineers Section Meeting	Nov	4	Professional Engineers Section Meeting
	6	Land Surveyors Section Meeting		6	Landscape Architects Section Meeting
	7	Landscape Architects Section Meeting		12	Land Surveyors Section Meeting
	14	Interior Designers Section Meeting		13	Interior Designers Section Meeting
Sept	10	APELSCIDLA Board Meeting	Dec	11	APELSCIDLA Board Meeting

APELSCIDLA BOARD MEMBERS

<u>Architects</u> Robert A. Boynton John S. Clark, Jr. David L. May, Jr.	<u>Prof. Engineers</u> Richard N. Davenport ** Stanley C. Harris Ronald G. Helton	<u>Land Surveyors</u> Doyle B. Allen John M. Elkin, Jr. John R. McAden	<u>Landscape Arch.</u> Ralph B. Higgins * William M. Davenport	<u>Interior Designers</u> Susan S. Orange Carole R. Renmark
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* Board President, ** Board Vice-President

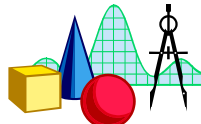
IMPORTANT TELEPHONE NUMBERS

Licensing or Applications	(804) 367-8512 or -8506	Examination Questions	(804) 367-8569
Board Administration	(804) 367-8514	Complaints	(804) 367-8504

IMPORTANT WEB SITE AND E-MAIL ADDRESSES

APELSCIDLA Web Site: <http://www.state.va.us/dpor> E-mail: APELSCIDLA@dpor.state.va.us

NCARB:	http://www.ncarb.org	CLARB:	http://www.clarb.org
NCEES:	http://www.ncees.org	NCIDQ:	http://www.ncidq.org



All Regulators ● Architects ● Professional Engineers ● Land Surveyors ● Landscape Architects ● Interior Designers



**3600 West Broad Street
Richmond, Virginia 23230-4917**

Change of Address? Notify the Board Office in Writing.